

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:	§	CHAPTER 7
	§	
ORLY GENDER,	§	CASE NO. 19-13895-jlg
	§	
	§	
Debtor.	§	
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DEBORAH J. PIAZZA, as Successor	§	
CHAPTER 7 TRUSTEE, of the	§	
Bankruptcy Estate of Orly Genger,	§	ADV. PRO. NO. 21-01180-jlg
	§	
Plaintiff,	§	
	§	
-against-	§	
	§	
MICHAEL OLDNER, THE ORLY	§	
GENGER 1993 TRUST, RECOVERY	§	
EFFORT INC., SAGI GENDER, THE	§	
SAGI GENDER 1993 TRUST, DALIA	§	
GENGER, ELANA GENDER, DAVID	§	
PARNES, D&K GP LLC, TPR	§	
INVESTMENT ASSOCIATES, INC.,	§	
MANHATTAN SAFETY MAINE, INC	§	
and JOHN AND JANE DOES 1-100,	§	
	§	
Defendants.	§	

**NOTICE OF MOTION OF SAGI GENDER 1993 TRUST
TO DISMISS FOR IMPROPER SERVICE OF PROCESS**

PLEASE TAKE NOTICE that as soon as counsel can be heard, defendant Sagi Genger 1993 Trust (“Movant”), hereby makes a limited appearance for the purpose of contesting service and jurisdiction only, and moves for an Order will move (the “Motion”) before the Honorable James L. Garrity, Jr., United States Bankruptcy Judge, in the United States Bankruptcy Court for the Southern District of New York, Courtroom 601, One Bowling Green, New York, New York, 10004, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(2), (4) and (5), made

applicable herein by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, dismissing the Complaint as against Movant for improper service of process.

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must be in writing, conform to the Bankruptcy Code, the Bankruptcy Rules and the Court's Local Rules, and must be electronically filed with the Bankruptcy Court in accordance with General Order No. M-399, which, along with the User's Manual for the Electronic Case Filing System, can be found at the Court's Website.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the Motion, with proof of service, is filed with the Bankruptcy Court and two courtesy copies are delivered to the Honorable James L. Garrity, Jr.'s Chambers by the Objection Deadline, Movants may on or after the Objection Deadline, submit to the Bankruptcy Court an order granting the motion which order may be entered with no further notice or opportunity to be heard.

Dated: September 27, 2021
New York, New York

EMMET, MARVIN & MARTIN, LLP

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